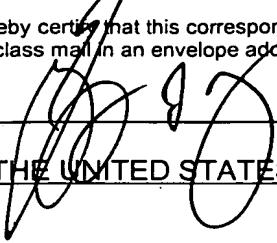


Docket No.: SYN-8312

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

By:  Date: July 9, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applic. No. : 10/728,389
Applicant : Kevin Smith, et al.
Filed : December 5, 2003
Title : Tissue Retractor and Method for Using the Retractor
Docket No. : SYN-8312
Customer No. : 24131

LETTER

Mail Stop: Missing Parts
Hon. Commissioner for Patents,
Alexandria, VA 22313-1450

Sir:

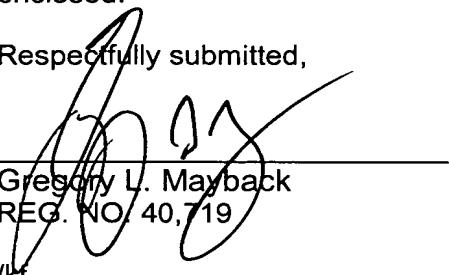
The above-mentioned new patent application was filed on December 5, 2003 without a signed oath or declaration, under the provision of 37 C.F.R. 1.53(f).

In accordance with the above-mentioned rule, enclosed herewith is the original signed declaration and power of attorney.

The undersigned hereby states that the application filed in the Patent and Trademark Office is the application which the inventor(s) executed by signing the declaration. MPEP 602 (8th ed., Aug. 2001).

The fee required for the late filing of an oath or declaration in the amount of \$550.00 is also enclosed.

Respectfully submitted,



Gregory L. Mayback
REG. NO 40,119

/kf

Date: July 9, 2004
Lerner and Greenberg, P.A.
Post Office Box 2480
Hollywood, FL 33022-2480
Tel: (954) 925-1100
Fax: (954) 925-1101